

# PUBLIC NOTICE

US Army  
Corps  
of Engineers  
Baltimore  
District

In Reply to Application Number  
CENAB-OP-RMS (CHESAPEAKE LANDING  
COMMUNITY ASSN/DREDGING) 06-63302-18

*PN 06-38*

Comment Period: July 3, 2006 to August 4, 2006

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.

The Baltimore District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers & Harbors Act of 1899, as described below:

APPLICANT: *Chesapeake Landing Community Assn*  
*c/o John Bedell*  
*10781 Fermoy Road*  
*Chestertown, Maryland 21620*

LOCATION: *In Worton Creek, at Terrace Road, Kent County, Maryland*

WORK: *The applicant proposes to maintenance dredge by mechanical method a 250-foot by variable 220 to 170-foot (50,000 sq. ft.) marina area to a depth of -3.2 feet below mean low water and to transport and deposit the dredged material to an approved upland disposal site located at the intersection of Elbon Road and Lenapath Road. The purpose of the proposed dredging is to maintain navigable access to an existing facility. All work is to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact Mr. Eugene Morgenthaler at (410) 820-8629.*

The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1986 (Public Law 04-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, permitted, funded, or undertaken by the agency that may adversely effect essential fish habitat (EFH). The project site lies in or adjacent to EFH as described under MSFCMA for juvenile and adult life stages for Scopthalmus aquosus (windowpane flounder), Pomatomus saltrix (blue fish), and Paralichthys dentatus (summer flounder); and eggs, larvae, juvenile, and adult life stages of Sciaenops ocellatus (red drum), Scomberomus cavalla (king mackerel), Scomberomus maculatus (spanish mackerel), and Rachycentron canadum (cobia), managed species under MSFCMA. The project has the potential to adversely effect EFH or the species of concern by loss of spawning, nursery, forage and/or shelter habitat. The Baltimore District has determined that the adverse effects of this project would not be substantial and an abbreviated consultation will be conducted with NMFS. No mitigation measures are recommended to minimize adverse effects on EFH, at this time. This determination may be modified if additional information indicates otherwise and would change the preliminary determination.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified above to receive consideration.

The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the Maryland Coastal Zone Program. This certification statement is available for inspection in the District Office; however, public comments relating to consistency must be received by the Coastal Zone Division, Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland, 21230-1708, within the comment period as specified above. It should be noted that CZ Division has a statutory limit of 6 months in which to make its consistency determination.

The applicant must obtain any State or local government permits which may be required.

A preliminary review of this application indicates that the proposed work will not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

Review of the latest published version of the National Register of Historic Places indicates that no registered properties listed as eligible for inclusion therein are located at the site of the proposed work. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, PO Box 1715, Baltimore, Maryland 21203-1715, within the comment period as specified as above to receive consideration. Also, it must clearly state forth the interest which may be adversely affected by this activity in the manner in which the interest may be adversely affected.

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.

FOR THE DISTRICT ENGINEER:

  
WALTER WASHINGTON, JR.  
Chief, Maryland Section Southern



**OWNER/DEVELOPER**

CHESAPEAKE LANDING COMMUNITY ASSOC.  
c/o WILLIAM S. WILSON  
P.O. BOX 531  
CHESTERTOWN, MARYLAND 21620

**SURVEYOR/ENGINEER**

McCRONE, INC.  
207 N. LIBERTY STREET  
SUITE 100  
CENTREVILLE, MARYLAND 21617

**NOTES:**

1. COORDINATE GRID BASE ON NAD 83/91.
2. VERTICAL DATUM BASED ON NGVD 29.
3. SEE SECTIONS "C-C" AND "D-D" ON SHEET 4 OF 4.
4. PROPERTY LINE SHOWN HEREON TAKEN FROM A PLAT ENTITLED "ROAD MAP OF CHESAPEAKE LANDING" AND IS NOT THE RESULT OF A FIELD RUN SURVEY BY McCRONE, INC. AT THIS TIME.

PROVIDE PERIMETER SILT FENCE  
PER DETAIL ON SHEET 5 OF 5.  
TYPICAL WHERE SHOWN — SF —.

PROPOSED DREDGE PLACEMENT AREA  
FOR 50,725 cft OF MATERIAL. HEIGHT  
OF MATERIAL FROM EXISTING GRADE  
SHALL NOT EXCEED 3 FEET UPON  
COMPLETION OF THE DREDGE MATERIAL  
PLACEMENT

PROVIDE 25 LF OF 8" ADS  
(N-12) LAID FLAT AT INV.  
= 27.50

PROVIDE 20 LF OF 8" PERFORATED  
PIPE TO ACT AS A DEWATERING  
DEVICE PER DETAIL ON SHEET 4  
OF 4.

PROVIDE STABILIZED CONSTRUCTION  
ENTRANCE PER DETAIL ON SHEET  
5 OF 5.

PROVIDE 30 LF OF 13"x17" BCCMPA  
TO MATCH ALIGNMENT AND SLOPE  
OF EXISTING DITCH. CULVERT TO  
BE REMOVED UPON COMPLETION  
OF PROJECT.

BOTTOM OF PLACEMENT AREA  
ELEV. = 27.00  
MAXIMUM FILL HEIGHT  
ELEV. = 30.00

**GRAPHIC SCALE**



1 inch = 60 ft.

**McCRONE**

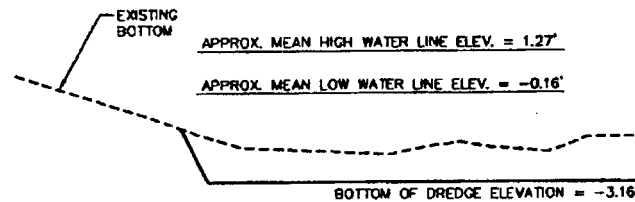
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CONSTRUCTION SERVICES

207 NORTH LIBERTY STREET  
SUITE 100  
CENTREVILLE, MARYLAND  
(410) 758-2237

SHEET 2 OF 4

APPROXIMATE MEAN HIGH WATER LINE

FACE OF BULKHEAD



**SECTION "A-A"**

SCALE 1" = 60' HORIZONTAL  
1" = 6' VERTICAL

LINE OF TIE PILES

CENTERLINE OF PIER

LINE OF TIE PILES

LINE OF TIE PILES

CENTERLINE OF PIER

LINE OF TIE PILES

LINE OF TIE PILES

APPROX. MEAN HIGH WATER LINE ELEV. = 1.27'

APPROX. MEAN LOW WATER LINE ELEV. = -0.16'

EXISTING BOTTOM

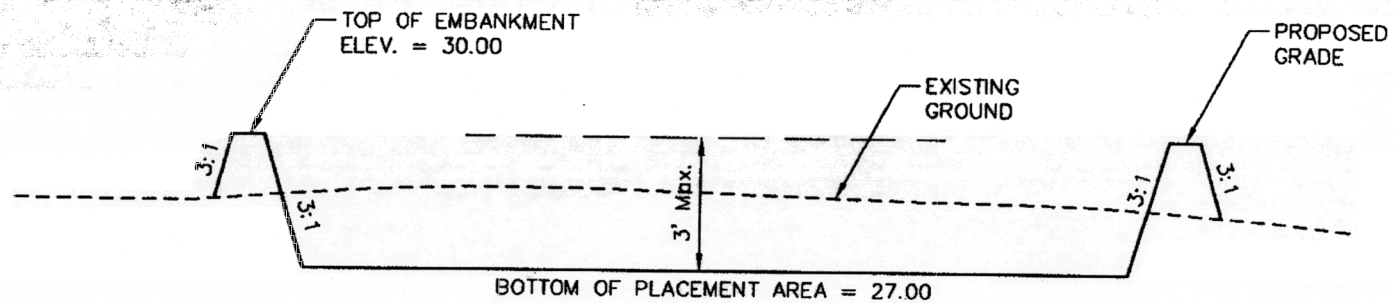
BOTTOM OF DREDGE ELEVATION = -3.16

**SECTION "B-B"**

SCALE 1" = 60' HORIZONTAL  
1" = 6' VERTICAL

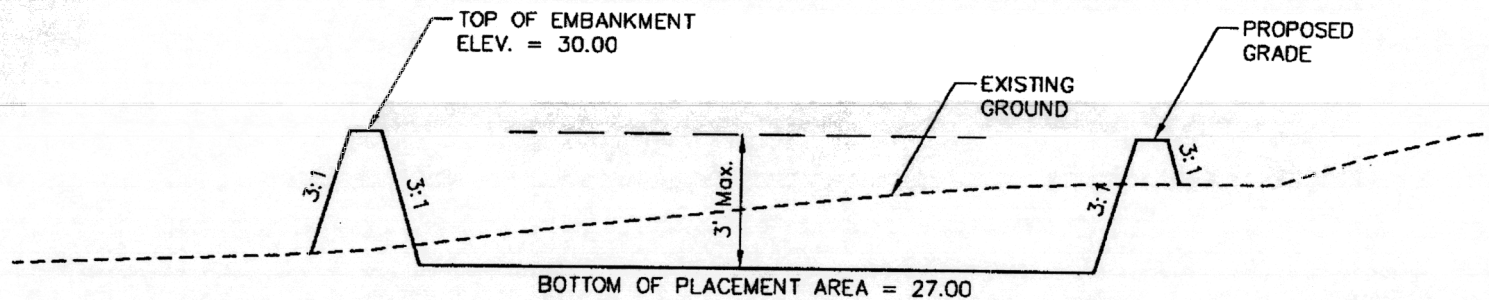
SHEET 3 OF 4

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### SECTION "C-C"

SCALE 1" = 40' HORIZONTAL  
1" = 4' VERTICAL



### SECTION "D-D"

SCALE 1" = 40' HORIZONTAL  
1" = 4' VERTICAL

SHEET 4 OF 4

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